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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lindberg et al.
Serial No. : 09/690,044
Filed : October 16, 2000
For : NEW COMPOUNDS
Examiner : J. Fan
Group Art Unit : 1625

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TERMINAL DISCLAIMER

Sir:

AstraZeneca, a corporation created and existing under the laws of Sweden, and
having a business address at S-151 85 Södertälje, Sweden, hereby through its undersigned agent,
who is empowered to act on behalf of AstraZeneca, represents that AstraZeneca is the owner of
the entire right, title and interest of the above-identified patent application Serial No. 09/690,044

and US 5,714,504 by Assignment recorded on January 23, 1995 at Reel 7438, Frame 0120, and of US 5,877,192 by Assignment recorded on November 14, 1997 at Reel 8814, Frame 0101.

The originally recorded assignments are in the name of Astra Aktiebolag. A change of corporate name from Astra Aktiebolag to AstraZeneca was recorded on September 25, 2000 at Reel 011219, Frame 0749.

Wing
AstraZeneca, by its undersigned agent, states that all evidentiary documents have been reviewed and certifies that, to the best of its knowledge and belief, title to Application Serial No. 0690,044, US 5,714,504 and US 5,877,192 is in AstraZeneca. The inventions claimed in Application Serial No. 0690,044, US 5,714,504 and US 5,877,192 were commonly owned by Astra Aktiebolag, now AstraZeneca at the time the later invention was made.

AstraZeneca hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of either of prior US 5,714,504 and US 5,877,192. AstraZeneca hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period it and US 5,714,504 and US 5,877,192 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of either of US 5,714,504 and US 5,877,192, in the event that either prior patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by

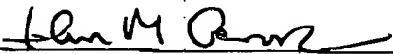
a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization is hereby given to charge Deposit Account No. 23-1703 in the amount of One Hundred and Ten Dollars (\$110.00) to cover the fee as required by 37 C.F.R. §1.20(d) and for any other fee that may be required in connection with this communication.

Dated: May 29, 2002

Respectfully submitted,


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